

# **EXHIBIT 2**

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

RUBEN ROMERO,

Plaintiff(s),

vs.

No. 1:21-cv-00544-KG-CG

CORE CIVIC, INC.,  
CORE CIVIC OF TENNESSEE, LLC.,  
WARDEN BRIAN KOEHN,  
ANA PADILLA and  
GARRICK PETERSON ,

Defendant(s).

DEPOSITION OF GARRICK PETERSON

MARCH 15, 2022  
9:22 A.M.  
VIA ZOOM

PURSUANT TO THE NEW MEXICO RULES OF CIVIL  
PROCEDURE, this deposition was:

TAKEN BY: ALYSSA QUIJANO, ESQ.  
ATTORNEY PLAINTIFF

Page 10

1 hearing you.

2 A. Okay.

3 Q. Okay?

4 And was that summer job between school

5 semesters?

6 A. Yeah. In the summer.

7 Q. In the summer.

8 And it was between your school semesters

9 at UNM or when you were in high school?

10 A. In high school.

11 Q. Okay. And are you still at the CoreCivic jail?

12 A. No.

13 Q. Okay. Where do you work now?

14 A. I work at a hospital in Gallup.

15 Q. Okay. And when did you start there?

16 A. May 2020.

17 Q. And did you have any job in between CoreCivic

18 and the hospital?

19 A. Yeah, I did.

20 Q. Okay. What was that job?

21 A. Yeah, I was a -- a water tech at -- on the

22 Navajo Nation -- a place called Navajo Nation Water

23 Management.

24 Q. Okay. And when did you start there?

25 A. I don't really know on the dates of that one

Page 11

1 there.

2 Q. Okay. Do you know how long you worked there?

3 A. Six months.

4 Q. And do you know when you left?

5 A. No.

6 Q. Okay. Sometime before May 2020?

7 A. Yeah.

8 Q. Okay. And any job -- okay. So, I guess when

9 did you stop working at the CoreCivic?

10 A. It was six months after March, so in August or

11 September --

12 Q. Okay.

13 A. -- of that year, 2018.

14 Q. And why'd you leave?

15 A. Termination.

16 Q. Okay. Why were you terminated?

17 A. Falling asleep in one of the units.

18 Q. Do you remember which unit that was?

19 A. Unit 400.

20 Q. Do you know which pod?

21 A. No.

22 Q. Is Unit 400 the high security pod?

23 A. Yeah. County pod.

24 Q. Okay. You don't remember if it was R, B, C?

25 A. No.

Page 12

1 Q. Okay. And when did that happen?

2 A. August 2018.

3 Q. And when that happened, was there some kind of

4 investigation into your behavior, or were you just

5 terminated after you were found falling asleep?

6 MR. BOJANOWSKI: I'm going to --

7 objection.

8 Go ahead and answer.

9 THE WITNESS: What was that?

10 Q (By Ms. Quijano) He objected, but you can go

11 ahead and answer.

12 A. Oh. Um, what was the question again?

13 Q. Was there any investigation into your behavior

14 when you fell asleep, or did they just terminate you

15 when they learned you had fallen asleep?

16 MR. BOJANOWSKI: Objection.

17 THE WITNESS: I think there might have

18 been an investigation, yeah.

19 Q (By Ms. Quijano) Okay. And do you know the

20 outcome of that investigation, if there was one?

21 MR. BOJANOWSKI: Same objection.

22 Go ahead.

23 THE WITNESS: No, I don't know.

24 Q (By Ms. Quijano) Were you --

25 A. Just terminated.

Page 13

1 Q. Okay. Were you interviewed, at all, about the

2 incident?

3 A. No.

4 Q. Okay. How did they learn you had fallen

5 asleep?

6 A. One of the -- the lieutenants came and found

7 me.

8 Q. Okay. Had you slept on the job before that?

9 MR. BAJANOWSKI: Objection.

10 Go ahead.

11 (Court reporter clarification.)

12 MR. BOJANOWSKI: It's just an objection

13 for the record, form.

14 Q (By Ms. Quijano) Go ahead and answer.

15 A. Can you repeat the question?

16 Q. Yeah.

17 Had you ever fallen asleep on the job

18 before that?

19 A. No.

20 MR. BOJANOWSKI: Same objection.

21 Q (By Ms. Quijano) When the lieutenant found you

22 sleeping, what did he do?

23 A. Um, woke me up.

24 Q. And then walked away, or did he do anything

25 else after he woke you up?

<p style="text-align: right;">Page 14</p> <p>1 A. Just walked away.</p> <p>2 <b>Q. Okay. Did you receive any like written -- like</b></p> <p>3 <b>any write-up?</b></p> <p>4 A. Yeah. For that one, yeah.</p> <p>5 <b>Q. Okay. And then you were terminated afterwards?</b></p> <p>6 A. Yeah.</p> <p>7 MR. BOJANOWSKI: Same objection.</p> <p>8 <b>Q (By Ms. Quijano) You said for that one, were</b></p> <p>9 <b>there other incidents that you weren't -- that you were</b></p> <p>10 <b>in trouble but didn't get a write-up?</b></p> <p>11 A. I don't know. I don't remember.</p> <p>12 <b>Q. Okay. Were you ever disciplined before you</b></p> <p>13 <b>were terminated, aside from falling asleep at that time?</b></p> <p>14 A. Um --</p> <p>15 MR. BOJANOWSKI: Objection.</p> <p>16 Go ahead.</p> <p>17 <b>Q (By Ms. Quijano) Go ahead.</b></p> <p>18 A. No.</p> <p>19 <b>Q. Okay. Okay. So, after you were terminated,</b></p> <p>20 <b>where did you work next?</b></p> <p>21 A. At the water management branch.</p> <p>22 <b>Q. Okay. And that was the six-month stint before</b></p> <p>23 <b>you went to the hospital?</b></p> <p>24 A. Yeah. No, no, I had another job.</p> <p>25 <b>Q. Okay.</b></p>	<p style="text-align: right;">Page 16</p> <p>1 <b>Q. Okay.</b></p> <p>2 A. After that I was with a company, Desert Wall</p> <p>3 Security, and I was working at the Gallup Wal-Mart. And</p> <p>4 that was for two months.</p> <p>5 <b>Q. Okay. And why'd you leave the job at Wal-Mart?</b></p> <p>6 A. To get the job at the hospital.</p> <p>7 <b>Q. Okay. Was the security job different than the</b></p> <p>8 <b>Wal-Mart job?</b></p> <p>9 A. Oh, the same security at Wal-Mart.</p> <p>10 <b>Q. Okay. So, I have -- you said you had three</b></p> <p>11 <b>other jobs. So, I have loading fireworks for a day,</b></p> <p>12 <b>security at Wal-Mart.</b></p> <p>13 A. Yeah.</p> <p>14 <b>Q. Is there another job?</b></p> <p>15 A. No -- I mean, the water management branch.</p> <p>16 Three jobs, that's three.</p> <p>17 <b>Q. Okay. There were three between the jail and</b></p> <p>18 <b>the hospital?</b></p> <p>19 A. Yeah.</p> <p>20 <b>Q. Okay. And why did you leave the water tech</b></p> <p>21 <b>company?</b></p> <p>22 A. To -- it was a contract for six months.</p> <p>23 <b>Q. Okay. Ever been fired from any other jobs?</b></p> <p>24 A. No.</p> <p>25 <b>Q. Okay. Ever been disciplined in any other jobs?</b></p>
<p style="text-align: right;">Page 15</p> <p>1 A. Three more jobs after that.</p> <p>2 (Court reporter clarification.)</p> <p>3 <b>Q (By Ms. Quijano) Three more jobs after that?</b></p> <p>4 A. Yeah.</p> <p>5 <b>Q. Okay. What were --</b></p> <p>6 <b>(Court reporter clarification.)</b></p> <p>7 MS. QUIJANO: Three more jobs is what I</p> <p>8 think he said.</p> <p>9 <b>Q (By Ms. Quijano) Would you get closer to the</b></p> <p>10 <b>computer and speak up --</b></p> <p>11 A. Yeah.</p> <p>12 <b>Q. -- because the court reporter is having a hard</b></p> <p>13 <b>time hearing you. It's going to make it really unclear</b></p> <p>14 <b>what you're testifying to. Okay?</b></p> <p>15 A. Okay.</p> <p>16 <b>Q. Okay. You have three more jobs after that.</b></p> <p>17 <b>What other jobs did you have after you were</b></p> <p>18 <b>terminated -- or after the water tech job, what were</b></p> <p>19 <b>your other jobs?</b></p> <p>20 A. After that I worked a month on the north side</p> <p>21 of Gallup loading fireworks, that was one.</p> <p>22 <b>Q. Okay. How long --</b></p> <p>23 A. That one was --</p> <p>24 <b>Q. How long did you do that?</b></p> <p>25 A. For a day.</p>	<p style="text-align: right;">Page 17</p> <p>1 A. No. Just the CoreCivic one.</p> <p>2 <b>Q. Okay. Any verbal reprimands, warnings at any</b></p> <p>3 <b>job?</b></p> <p>4 A. No.</p> <p>5 <b>Q. Okay. So, when you started at CoreCivic, what</b></p> <p>6 <b>was your position?</b></p> <p>7 A. Detention officer.</p> <p>8 <b>Q. Okay. And were you assigned to a specific pod?</b></p> <p>9 A. Yeah. Unit 400.</p> <p>10 <b>Q. Okay. So, you always worked Unit 400?</b></p> <p>11 A. Yeah. But some days I would be somewhere else.</p> <p>12 <b>Q. Where would you be?</b></p> <p>13 A. I've been to 600, solitary, 500.</p> <p>14 <b>Q. Okay. And why were you working in those other</b></p> <p>15 <b>pods those times?</b></p> <p>16 A. To relieve those officers. Because I guess</p> <p>17 some of the officers didn't come in to relieve them for</p> <p>18 their shift.</p> <p>19 <b>Q. Okay. So, it was a staffing issue that you</b></p> <p>20 <b>would cover?</b></p> <p>21 A. Yeah.</p> <p>22 <b>Q. When you were working there, were you -- was</b></p> <p>23 <b>the facility understaffed?</b></p> <p>24 MR. BOJANOWSKI: Objection.</p> <p>25 Go ahead and answer.</p>

- 1 THE WITNESS: I don't know.
- 2 Q (By Ms. Quijano) Do you know if there was
- 3 frequently officers that weren't coming in and shifts
- 4 needed to be covered?
- 5 MR. BOJANOWSKI: Same objection.
- 6 Go ahead and answer.
- 7 THE WITNESS: Yeah.
- 8 Q (By Ms. Quijano) How often was that happening?
- 9 MR. BOJANOWSKI: Same objection.
- 10 Go ahead.
- 11 THE WITNESS: Often.
- 12 Q (By Ms. Quijano) Sorry. Often?
- 13 A. Yeah.
- 14 Q. Okay. Did you end up having to cover lots of
- 15 shifts because people weren't showing up for their
- 16 assigned shift?
- 17 MR. BOJANOWSKI: Same objection.
- 18 THE WITNESS: Yeah.
- 19 Q (By Ms. Quijano) Okay. Did that lead you to
- 20 working long hours at the jail?
- 21 A. Yeah.
- 22 Q. How many hours a week, on average, do you think
- 23 you worked when you were working at the jail?
- 24 A. A week, probably 60 to 50.
- 25 Q. And that was average for you?

- 1 A. Yeah.
- 2 Q. Okay. Did you ever complain about the number
- 3 of hours that you were working?
- 4 A. No.
- 5 Q. No.
- 6 Were other guards working 50 to 60-hour
- 7 weeks as well?
- 8 MR. BOJANOWSKI: Same objection.
- 9 THE WITNESS: Yeah.
- 10 Q (By Ms. Quijano) Were most of the staff working
- 11 50 to 60-hour weeks?
- 12 MR. BOJANOWSKI: Same objection.
- 13 Q (By Ms. Quijano) Would you repeat your answer?
- 14 A. Yeah.
- 15 Q. Okay. Sorry, your answer was yes, other staff
- 16 were --
- 17 A. Yeah.
- 18 Q. Did anyone complain about the staffing levels
- 19 at the jail being inadequate?
- 20 MR. BOJANOWSKI: Same objection.
- 21 Go ahead.
- 22 THE WITNESS: They complained, but I don't
- 23 think they took it up to administration.
- 24 Q (By Ms. Quijano) Do you know if the
- 25 administration knew that there weren't enough staff?

- 1 MR. BOJANOWSKI: Objection.
- 2 Go ahead.
- 3 THE WITNESS: I don't know.
- 4 Q (By Ms. Quijano) What were they complaining
- 5 about, if you know?
- 6 MR. BOJANOWSKI: Same objection.
- 7 Go ahead.
- 8 THE WITNESS: Long hours.
- 9 Q (By Ms. Quijano) Were you able -- were each
- 10 shifts properly staffed? So, like when people were
- 11 working long hours, did you have enough people in the
- 12 jail at each time? That needed to be staffed in each
- 13 section of the jail?
- 14 A. Yeah.
- 15 MR. BOJANOWSKI: Same objection.
- 16 Go ahead.
- 17 THE WITNESS: Yeah.
- 18 Q (By Ms. Quijano) Okay. So, the problem was not
- 19 that there weren't enough people in the jail at one
- 20 time, but that everyone was tired. Is that accurate
- 21 or --
- 22 (Court reporter clarification.)
- 23 MS. QUIJANO: Sorry.
- 24 Q (By Ms. Quijano) Everyone's tired and they're
- 25 overworked.

- 1 Is that fair to say?
- 2 MR. BOJANOWSKI: Same objection.
- 3 Go ahead.
- 4 THE WITNESS: Can you repeat the question?
- 5 Q (By Ms. Quijano) Yeah, sure.
- 6 I just am trying to get a sense of the
- 7 complaints. So, were the problems in the jail at that
- 8 time not that there weren't enough people at one time,
- 9 but that the people that were there were overworked and
- 10 tired?
- 11 MR. BOJANOWSKI: Same objection.
- 12 Go ahead.
- 13 THE WITNESS: Yeah.
- 14 Q (By Ms. Quijano) What kind of training did you
- 15 get when you got to the jail?
- 16 A. There's a book we go by and we have -- and we
- 17 got when we trained for -- and we just went by that
- 18 book.
- 19 Q. Did someone train you on the book, or were you
- 20 given a book to read?
- 21 A. Someone trained us.
- 22 Q. Okay. Was that in a classroom setting?
- 23 A. Yeah.
- 24 Q. And how long was that training?
- 25 A. Three weeks.

Page 22	
1	<b>Q. And did you get any on-the-job training?</b>
2	A. Every other Friday. So, every Friday of those
3	three weeks.
4	<b>Q. Okay. So, you'd go into the classroom Monday</b>
5	<b>through Thursday, and then Friday you'd be on the job?</b>
6	A. Yeah. Shadowing another person.
7	<b>Q. Were you trained on direct supervision versus</b>
8	<b>indirect supervision?</b>
9	A. Yeah.
10	<b>Q. What is the difference, to your knowledge?</b>
11	A. Can you repeat the question?
12	<b>Q. Yeah.</b>
13	<b>What is the difference, to your knowledge,</b>
14	<b>of indirect versus direct supervision?</b>
15	A. Direct is when you're physically seeing what
16	they're doing, and indirect is you don't know what
17	they're doing.
18	<b>Q. That you don't know what they're doing?</b>
19	A. Yeah.
20	<b>Q. Okay. Were there pods that required direct</b>
21	<b>supervision at all times, at the jail?</b>
22	A. All the pods.
23	<b>Q. All the pods needed direct supervision?</b>
24	A. Yes. Yeah.
25	<b>Q. Were there pods that needed direct supervision</b>

Page 23	
1	<b>all of the time?</b>
2	A. No.
3	<b>Q. Okay. So, the Unit 400, how often were you</b>
4	<b>trained that the supervision needed to happen in the</b>
5	<b>pod? You actually had to be in the pod looking at what</b>
6	<b>was happening?</b>
7	A. My job -- there's two officers in that
8	Unit 400.
9	<b>Q. Okay.</b>
10	A. My job usually is on the computer in control
11	center. And the other one's a rover, that's his job of
12	going in the pods.
13	<b>Q. Okay. So, usually you are on the computer</b>
14	<b>doing what?</b>
15	A. Logging. Logging stuff. Logging inmates.
16	Watching the cameras. That's about it.
17	<b>Q. When you're watching the cameras, are you</b>
18	<b>watching that at all times? Like constantly observing</b>
19	<b>the security footage?</b>
20	A. Yeah.
21	<b>Q. Okay. And so you can see into all of the</b>
22	<b>pods -- sorry, is someone in the room with you now?</b>
23	A. Yeah. Well --
24	Okay, we're good.
25	<b>Q. Okay. So, when you're supervising the pods on</b>

Page 24	
1	<b>the camera, you're looking into the security footage and</b>
2	<b>you can see what's happening at all times on the</b>
3	<b>footage?</b>
4	A. Yeah.
5	<b>Q. Okay. Is there always someone in the control</b>
6	<b>center looking at the cameras and someone roving the</b>
7	<b>pods?</b>
8	A. Yeah.
9	<b>Q. Okay. Were there times when that wasn't true?</b>
10	A. What was that?
11	<b>Q. Was there -- were there ever times that that</b>
12	<b>wasn't true, that there wasn't someone in control and</b>
13	<b>roving?</b>
14	A. There's always got to be someone in control.
15	<b>Q. Okay.</b>
16	A. 100 percent.
17	<b>Q. Okay. So, someone at all times should be</b>
18	<b>looking at the security footage in the jail?</b>
19	A. Yeah.
20	<b>Q. And my understanding on the day of the attack</b>
21	<b>that we're talking about today, you were actually roving</b>
22	<b>the pods.</b>
23	<b>Do you remember that day?</b>
24	A. Yeah.
25	<b>Q. Do you know why you were roving instead of in</b>

Page 25	
1	<b>control?</b>
2	A. Um, no, I don't -- I don't know why.
3	<b>Q. Do you know if someone else was in control that</b>
4	<b>day?</b>
5	A. Yeah.
6	<b>Q. Do you know who it was?</b>
7	A. I had a different one in the daytime, because I
8	worked daytime. And then I got told to stay couple more
9	hours. And I don't know -- I don't know, I think it was
10	Torres.
11	<b>Q. Do you know the first name?</b>
12	A. No, I don't know his first name. He was on
13	nightshift; I was on dayshift.
14	<b>Q. Okay. So --</b>
15	A. And he came --
16	<b>Q. Sorry, go ahead and finish what you were</b>
17	<b>saying. I interrupted you.</b>
18	A. No, that -- that's it.
19	<b>Q. So, he was on nightshift. You worked dayshift</b>
20	<b>that day.</b>
21	<b>What were the dayshift hours?</b>
22	A. 6 a.m. - 6 p.m.
23	<b>Q. Okay. And so on the day of the attack, on</b>
24	<b>June 12th, 2018, it's your memory that you worked 6 a.m.</b>
25	<b>to 6 p.m. and they asked you to stay for a few more</b>

1 hours to cover a shift?  
 2 A. Yeah.  
 3 Q. Do you remember how late you worked that night?  
 4 A. I think it was to 12.  
 5 Q. Okay. So, that day you worked 6 a.m. until  
 6 midnight?  
 7 A. Yeah.  
 8 Q. So, that's, what, an 18-hour day?  
 9 A. Yeah.  
 10 Q. Did you often work 18-hour days?  
 11 A. There was a couple of times, but not all the  
 12 times.  
 13 Q. So, my -- the attack -- I'm going to pull up  
 14 this incident report. I'm going to attach this as  
 15 Exhibit 1 to your deposition.  
 16 (Exhibit 1 marked for identification.)  
 17 Q (By Ms. Quijano) And let me know if you can see  
 18 this on your screen. Do you see this?  
 19 A. Yeah.  
 20 Q. Okay. There's a timeline here on the second  
 21 page, and here it says: (Reading)  
 22 9:57 the battery starts.  
 23 Do you see that line?  
 24 A. Yeah.  
 25 Q. So, just before 10 p.m. is when the attack

1 A. Yeah.  
 2 Q. And then you were asked to cover the rover  
 3 pod -- the rover officer's shift?  
 4 A. Yeah.  
 5 Q. Okay. I'm sorry, that was yes, right?  
 6 A. Yeah.  
 7 Q. Sorry, I talked over you a little so I want to  
 8 be sure I'm clear.  
 9 The control center, where is that located  
 10 in the jail?  
 11 A. It's right in the middle of the four pods.  
 12 Q. Okay. Is there like -- are there -- so, my  
 13 knowledge of jails is -- so, are there -- I want to make  
 14 sure I'm understanding what this is.  
 15 Is the control center like a bubble? Like  
 16 you have windows --  
 17 A. Yeah.  
 18 Q. -- on it?  
 19 And so those windows look in to each pod?  
 20 A. Yeah.  
 21 Q. Okay. So, there's an officer at all times in  
 22 the middle of the four pods with windows all around?  
 23 A. Yeah.  
 24 Q. And there are also camera monitors --  
 25 A. Yeah.

1 started on that day?  
 2 A. Yeah.  
 3 Q. So, at that point you had been working  
 4 16 hours?  
 5 A. Yep.  
 6 Q. Sorry, what was your answer?  
 7 A. Yeah.  
 8 Q. Okay. At that point in the day, were you  
 9 tired?  
 10 A. I'm always tired.  
 11 Q. Okay. So, yes, you were tired at that point?  
 12 A. Yeah.  
 13 Q. Were you ready to go home at that point?  
 14 A. Yeah.  
 15 Q. Were you frustrated that you were asked to work  
 16 an extra shift?  
 17 MR. BOJANOWSKI: Objection.  
 18 Go ahead.  
 19 THE WITNESS: Yeah.  
 20 Q (By Ms. Quijano) So, the dayshift that you  
 21 worked from 6 a.m. to 6 p.m., were you roving the pods  
 22 or were you in control?  
 23 A. I was -- I think I was control.  
 24 Q. Okay. Then at 6 p.m., when your shift ended,  
 25 Torres came and took over control?

1 Q. -- in that control center?  
 2 A. Yeah.  
 3 Q. Okay. So, at all times the controls -- the  
 4 officer in control can see -- physically see the inmates  
 5 and can look at the security footage?  
 6 A. Yeah.  
 7 Q. Is there any point in time that an officer in  
 8 the control center should leave their post during their  
 9 shift?  
 10 A. No. It should be someone in there all the  
 11 time.  
 12 Q. And so if someone left the control center,  
 13 would that have been a policy violation?  
 14 A. Yeah.  
 15 Q. And if someone does leave, let's -- what  
 16 happens if you need to go to the bathroom, for example?  
 17 What are you supposed to do?  
 18 A. The rover's supposed to cover the -- the  
 19 control.  
 20 Q. Okay. So, if someone in the control center on  
 21 that night left the control center, they would have  
 22 asked -- they should have asked you --  
 23 A. Yeah.  
 24 Q. -- to please come cover control?  
 25 A. Yeah.

1 Q. Okay. And you just don't remember?  
 2 A. I don't remember, yeah.  
 3 Q. Okay. So, I'm going to show you -- well, on  
 4 the same photo -- sorry, I didn't mean to stop sharing  
 5 it here.  
 6 Is this you on the top left here?  
 7 A. Looks like it, yeah.  
 8 Q. Okay. And do you see these coverings on the  
 9 cell that you're at?  
 10 A. Yeah.  
 11 Q. Did you ask the inmates to take these coverings  
 12 down, to your memory?  
 13 A. Yeah.  
 14 Q. Okay. You didn't take them down, though?  
 15 A. No.  
 16 Q. Did you make sure that they were taken down?  
 17 A. Yeah.  
 18 Q. And you knew that leaving them up caused the  
 19 risk of not being able to see what was happening in that  
 20 cell?  
 21 A. Yeah.  
 22 MR. BOJANOWSKI: I'm going to object to  
 23 form.  
 24 THE WITNESS: Yeah.  
 25 Q (By Ms. Quijano) How often were you supposed to

1 be roving the cells? How often were you supposed to be  
 2 in each pod?  
 3 A. There's these buttons called watch tours  
 4 buttons, and they reset every hour. And in that hour  
 5 you have to go in there and, basically, just touch all  
 6 the watch tower buttons.  
 7 Q. Okay. So, once an hour you have to go through  
 8 and push a button on each -- in each pod?  
 9 A. Yeah. There's four buttons in each pod.  
 10 Q. Okay. So, the buttons are in four different  
 11 areas in the pod?  
 12 A. Yeah.  
 13 Q. Okay. I'm going to pull this -- actually pull  
 14 this photo up again. Would you be able to mark on this  
 15 photo where those buttons were?  
 16 A. Um, mark?  
 17 Q. Yeah. I can -- what I can do is give you  
 18 access of the controller, and you can actually draw on  
 19 this with your mouse pad. So, give me a second to do  
 20 that and I'll attach that as Exhibit 3 to your  
 21 deposition.  
 22 (Exhibit 3 marked for identification.)  
 23 MS. QUIJANO: I'm just going to take a  
 24 photo of this section and then -- it won't let me give  
 25 you control for some reason. It will allow me to give

1 control to your lawyers and to Paul Baca Court  
 2 Reporters.  
 3 Belen, is there some control on your end  
 4 that will allow him to have remote control access?  
 5 (Discussion off the record.)  
 6 MS. QUIJANO: Okay. Let me try this  
 7 again. All right. It's not letting me give you access  
 8 to it. Let's take a quick break and see if we can  
 9 figure this out.  
 10 (Off the record 10:11 a.m. to 10:25 a.m.)  
 11 Q (By Ms. Quijano) Okay. So, we can't figure out  
 12 how to get you remote access for some reason. You're  
 13 the only one I'm not able to give remote access to. So,  
 14 what I'm going to do is I have this little star stamp,  
 15 it's going to create like a blue stamp wherever I click.  
 16 So, you said there were four watch --  
 17 watch guard buttons?  
 18 A. Yeah.  
 19 Q. Okay. And I want to make sure we're clear, so  
 20 if you could say yes or no.  
 21 Yes, there are four?  
 22 A. Yes.  
 23 Q. Okay. And where is the first one?  
 24 A. Uh, the top railing on the right side.  
 25 Q. On the right side right here where my mouse is?

1 A. Yeah.  
 2 Q. Okay.  
 3 A. And there'd be one on the bottom in the same  
 4 place.  
 5 Q. On -- like down here on this wall behind the  
 6 stairs?  
 7 A. The same place as the other one. Should be on  
 8 the other side. Yeah, right there.  
 9 Q. Okay. And then where is the third?  
 10 A. The -- you know what, I think this one has six.  
 11 Q. Okay.  
 12 A. Because some pods have -- because I'm -- I  
 13 think I remember where I'm at. I touched the button at  
 14 the watch tower right there.  
 15 Q. Okay. That's you pushing the button right now?  
 16 A. Yeah. Yeah.  
 17 Q. Okay. I'll put one right here at --  
 18 A. And then there's the one on the bottom, the  
 19 same place.  
 20 Q. Okay.  
 21 A. And the other side of the pods where the stairs  
 22 at, those were the same -- the same place as the other  
 23 side.  
 24 Q. Over here (indicating)?  
 25 A. Yeah.



Page 58

1 were in control?

2 A. Yes.

3 Q. Do you recognize these initials? Do you know

4 the person who was working with you that day?

5 A. Yes.

6 Q. Who was it?

7 A. Desiderio.

8 Q. Desiderio?

9 (Court reporter clarification.)

10 THE WITNESS: Desiderio.

11 Q (By Ms. Quijano) And that's D-E-S-D-I-R-I-O

12 (sic)?

13 A. Yeah.

14 Q. R-I-O? Okay.

15 Oh, is it here? D-O-D-S-R-D-E-R-O?

16 A. Yeah. That's it right there.

17 Q. I-O? Okay.

18 Okay. And so it looks like throughout

19 this day the handwriting's switching back and forth.

20 Was it common for you to switch back and forth between

21 control and roving?

22 A. With this partner, yes.

23 Q. Was it different for other people you worked

24 with?

25 A. Yes.

Page 59

1 Q. Okay. Why was it different with her?

2 A. Because we both understood that we know how it

3 feels to sit in the control center all day and we just

4 gave each other breaks -- not breaks, but like breaks of

5 sitting down.

6 Q. Okay. And so did you prefer to be roving

7 instead of being in the control center?

8 A. I preferred we switch every now and then.

9 Q. Okay. Did other people not switch with you,

10 like Desiderio did?

11 A. Yeah. I was -- I -- with other people I was in

12 the -- in the control center all day.

13 Q. Were people -- was that because people didn't

14 want to be stuck in the control center to give you

15 breaks?

16 A. Yeah.

17 Q. And why is that, to your knowledge?

18 A. It's -- I don't know.

19 Q. Did people not like working in control?

20 A. Yeah.

21 Q. Why not?

22 A. Because to log everything down.

23 Q. Is it -- is it like boring, or do you know why

24 they didn't like logging everything down?

25 A. Probably boring --

Page 60

1 MR. BOJANOWSKI: Objection.

2 THE WITNESS: Yeah. Yes.

3 Q (By Ms. Quijano) Did people -- so, you

4 mentioned you were terminated for falling asleep.

5 Did people fall asleep on shift while you

6 were there?

7 MR. BOJANOWSKI: Same objection.

8 THE WITNESS: Yes.

9 Q (By Ms. Quijano) How often was that happening?

10 MR. BOJANOWSKI: Same objection.

11 Go ahead.

12 THE WITNESS: Often.

13 Q (By Ms. Quijano) Was it frustrating for you

14 for -- to be terminated when you knew that was happening

15 all the time at the jail?

16 A. Yes.

17 MR. BOJANOWSKI: Same objection.

18 Go ahead.

19 Q (By Ms. Quijano) Did you say anything about it

20 to administration when you were terminated?

21 A. No.

22 Q. How often were people sleeping on the job?

23 MR. BOJANOWSKI: Same objection.

24 Go ahead.

25 THE WITNESS: Often.

Page 61

1 Q (By Ms. Quijano) Was it everyone or was it a

2 select few?

3 A. Select few.

4 MR. BOJANOWSKI: Same objection.

5 Q (By Ms. Quijano) And were they people that were

6 frequently working control?

7 MR. BOJANOWSKI: Same objection.

8 Go ahead.

9 THE WITNESS: So, it was a mix, rover and

10 control.

11 Q (By Ms. Quijano) Okay. And was it a certain

12 shift that they were more likely to fall asleep on

13 shift?

14 MR. BOJANOWSKI: Same objection.

15 Go ahead.

16 THE WITNESS: Can you repeat the question?

17 Q (By Ms. Quijano) Yeah.

18 Was it -- was there a certain shift that

19 they were more likely to fall asleep on job?

20 MR. BOJANOWSKI: Same objection.

21 Go ahead.

22 THE WITNESS: Nightshift.

23 Q (By Ms. Quijano) And this is going to seem

24 obvious, but do you know why that was more often?

25 MR. BOJANOWSKI: Same objection.

16 (Pages 58 to 61)

1 A. Yes.  
 2 Q. Do you remember, were his clothes covered in  
 3 blood?  
 4 A. Yes. His shirt.  
 5 Q. Okay. So, let me pull up a photo here. So,  
 6 this is on Bates number CCCC\_18. So, there's a photo of  
 7 him here, I don't see any blood on his shirt.  
 8 Do you see any blood on his shirt?  
 9 A. No.  
 10 Q. Would this have -- photo been taken some time  
 11 after he had been given new clothes?  
 12 A. Yes.  
 13 MR. BOJANOWSKI: Objection.  
 14 Go ahead.  
 15 Q (By Ms. Quijano) Do you have any understanding  
 16 if this photo was taken before or after he was taken to  
 17 the hospital?  
 18 MR. BOJANOWSKI: Same objection.  
 19 Go ahead.  
 20 THE WITNESS: I don't know about that.  
 21 Q (By Ms. Quijano) Okay. When you found him, was  
 22 he covered in more blood than he is in this photo?  
 23 MR. BOJANOWSKI: Same objection.  
 24 Go ahead.  
 25 THE WITNESS: Yes.

1 Q (By Ms. Quijano) Okay. Did you like working at  
 2 the jail?  
 3 MR. BOJANOWSKI: Objection.  
 4 Go ahead.  
 5 THE WITNESS: No.  
 6 Q (By Ms. Quijano) Why not?  
 7 MR. BOJANOWSKI: Objection.  
 8 Go ahead.  
 9 THE WITNESS: It feels like I'm  
 10 incarcerated with them.  
 11 Q (By Ms. Quijano) Okay. What do you mean by  
 12 that?  
 13 MR. BOJANOWSKI: Objection.  
 14 Go ahead.  
 15 THE WITNESS: The setting of a jail, it's  
 16 depressing. All I did was work and sleep. That's it.  
 17 Q (By Ms. Quijano) When you worked at the jail,  
 18 did you have any complaints about the way it was managed  
 19 by the supervisors at your jail?  
 20 MR. BOJANOWSKI: Objection.  
 21 Go ahead.  
 22 THE WITNESS: I did no formal complaints,  
 23 if that's what you're asking.  
 24 Q (By Ms. Quijano) Well, did you have any  
 25 informal complaints? Like did you dislike the people

1 you worked for? That supervised you?  
 2 MR. BOJANOWSKI: Objection.  
 3 Go ahead.  
 4 THE WITNESS: Yes.  
 5 Q (By Ms. Quijano) What did you dislike?  
 6 MR. BOJANOWSKI: Objection.  
 7 Go ahead.  
 8 THE WITNESS: Hours.  
 9 Q (By Ms. Quijano) Okay. The long hours?  
 10 A. Yeah. And there's something called a draft.  
 11 Q. Okay.  
 12 A. When someone has to stay, the person who didn't  
 13 stay last time would have to stay. But it felt like I  
 14 stayed there most of the time instead of them spreading  
 15 out who stayed or not. It -- I felt like it was just me  
 16 that was staying most of the time.  
 17 Q. And was that frustrating to be called to stay  
 18 late, past your shift, that frequently?  
 19 MR. BOJANOWSKI: Objection.  
 20 Go ahead.  
 21 THE WITNESS: Yes.  
 22 Q (By Ms. Quijano) Sorry, was the answer yes?  
 23 A. Yes.  
 24 Q. And what other complaints did you have about  
 25 your job and the way --

1 MR. BOJANOWSKI: Same objection.  
 2 Q (By Ms. Quijano) -- and the way you were  
 3 supervised?  
 4 MR. BOJANOWSKI: Go ahead.  
 5 Objection.  
 6 THE WITNESS: Mandatory days.  
 7 Q (By Ms. Quijano) What are mandatory days?  
 8 A. You have to come in no matter what. If you  
 9 don't come in, you get -- you get written up.  
 10 Q. Okay. Were all of your days that you were  
 11 scheduled mandatory days?  
 12 A. Yes.  
 13 Q. Okay. And -- and people -- based on your  
 14 testimony, it seems like people didn't show up to their  
 15 job pretty frequently.  
 16 Do you know if those people were getting  
 17 written up?  
 18 MR. BOJANOWSKI: Same objection.  
 19 Go ahead.  
 20 THE WITNESS: From my knowledge, I did not  
 21 know if they got written up or not.  
 22 Q (By Ms. Quijano) Did it seem like there were  
 23 some staff that were favored and given preferable  
 24 treatment over other staff in the jail?  
 25 MR. BOJANOWSKI: Same objection.

<p style="text-align: right;">Page 102</p> <p>1 Go ahead.</p> <p>2 THE WITNESS: Yes.</p> <p>3 <b>Q (By Ms. Quijano) And was that frustrating for</b></p> <p>4 <b>you as a staff?</b></p> <p>5 MR. BOJANOWSKI: Objection.</p> <p>6 Go ahead.</p> <p>7 THE WITNESS: Yes.</p> <p>8 <b>Q (By Ms. Quijano) And were those staff</b></p> <p>9 <b>allowed -- or what kind of preferential treatment did</b></p> <p>10 <b>they get?</b></p> <p>11 MR. BOJANOWSKI: Objection.</p> <p>12 Go ahead.</p> <p>13 THE WITNESS: Get to go home early. They</p> <p>14 get to work the unit they wanted to. Or they -- the</p> <p>15 floater is a person who floats between units, that was</p> <p>16 one of the good positions that I wanted but someone else</p> <p>17 kept getting it.</p> <p>18 <b>Q (By Ms. Quijano) And why is that a good</b></p> <p>19 <b>position?</b></p> <p>20 A. Because you don't have to stay in one unit all</p> <p>21 the time.</p> <p>22 (Court reporter clarification.)</p> <p>23 THE WITNESS: Yeah. It's a floater, you</p> <p>24 can go to any unit you want to and -- if they need help</p> <p>25 or not. Restroom or need to be relieved for a second,</p>	<p style="text-align: right;">Page 104</p> <p>1 <b>least favorite of pods or units to be working?</b></p> <p>2 MR. BAJANOWSKI: Objection.</p> <p>3 Go ahead.</p> <p>4 THE WITNESS: Yes.</p> <p>5 <b>Q (By Ms. Quijano) And why was that?</b></p> <p>6 MR. BOJANOWSKI: Objection.</p> <p>7 Go ahead.</p> <p>8 THE WITNESS: To be honest, they don't</p> <p>9 listen, all of them, at all.</p> <p>10 <b>Q (By Ms. Quijano) "They" being the inmates?</b></p> <p>11 A. Yes.</p> <p>12 <b>Q. And so it would cause problems for the staff?</b></p> <p>13 MR. BAJANOWSKI: Objection.</p> <p>14 Go ahead.</p> <p>15 THE WITNESS: Yes.</p> <p>16 <b>Q (By Ms. Quijano) Okay. So, did you dislike</b></p> <p>17 <b>working in Unit 400 when you were there?</b></p> <p>18 MR. BOJANOWSKI: Objection.</p> <p>19 Go ahead.</p> <p>20 THE WITNESS: Yes.</p> <p>21 <b>Q (By Ms. Quijano) Were you less motivated to do</b></p> <p>22 <b>your job because you disliked the unit you were</b></p> <p>23 <b>assigned?</b></p> <p>24 MR. BOJANOWSKI: Same objection.</p> <p>25 Go ahead.</p>
<p style="text-align: right;">Page 103</p> <p>1 you know what I mean.</p> <p>2 <b>Q (By Ms. Quijano) Okay. So, the floater is</b></p> <p>3 <b>someone that's in all parts of the jail just based on</b></p> <p>4 <b>whoever needs help?</b></p> <p>5 A. Yes.</p> <p>6 <b>Q. And is that job -- it's just more stim -- it's</b></p> <p>7 <b>less boring? What's better about being able to be in</b></p> <p>8 <b>all parts of the jail?</b></p> <p>9 A. Less boring. You can, basically, do what you</p> <p>10 want, you know. You don't have to sit there all day and</p> <p>11 stare at the computer or the -- the windows and stuff</p> <p>12 like that.</p> <p>13 <b>Q. Were there any positions or pods that were the</b></p> <p>14 <b>least favored to be in? That people just didn't want to</b></p> <p>15 <b>be in unit whatever?</b></p> <p>16 MR. BOJANOWSKI: Objection.</p> <p>17 Go ahead.</p> <p>18 THE WITNESS: Yes.</p> <p>19 <b>Q (By Ms. Quijano) Sorry, your answer is yes?</b></p> <p>20 A. Yes.</p> <p>21 <b>Q. What pods or units were those?</b></p> <p>22 MR. BOJANOWSKI: Objection.</p> <p>23 Go ahead.</p> <p>24 THE WITNESS: Unit 400.</p> <p>25 <b>Q (By Ms. Quijano) Okay. So, Unit 400 was the</b></p>	<p style="text-align: right;">Page 105</p> <p>1 THE WITNESS: You kind of cut off.</p> <p>2 <b>Q (By Ms. Quijano) Yeah. Were you less motivated</b></p> <p>3 <b>to do your job well because you disliked the unit you</b></p> <p>4 <b>were assigned?</b></p> <p>5 MR. BOJANOWSKI: Objection.</p> <p>6 Go ahead.</p> <p>7 THE WITNESS: Motivated or not, I still</p> <p>8 did my job.</p> <p>9 <b>Q (By Ms. Quijano) Okay. Did it make it more</b></p> <p>10 <b>difficult to do your job because you were frustrated</b></p> <p>11 <b>with the unit assignment?</b></p> <p>12 MR. BOJANOWSKI: Objection.</p> <p>13 Go ahead.</p> <p>14 THE WITNESS: To be honest, I kind of</p> <p>15 liked them because I would write complaints. That gave</p> <p>16 me something to do.</p> <p>17 <b>Q (By Ms. Quijano) Writing complaints because</b></p> <p>18 <b>inmates were not doing what they were told?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. Okay. So, because they were poorly behaved,</b></p> <p>21 <b>you at least got to write them up and that was less</b></p> <p>22 <b>boring than sitting there?</b></p> <p>23 MR. BOJANOWSKI: Objection.</p> <p>24 Go ahead.</p> <p>25 THE WITNESS: Yes.</p>

27 (Pages 102 to 105)

Page 106

1       **Q (By Ms. Quijano) Okay. Are you glad to no**  
2 **longer be working there?**  
3       MS. QUIJANO: Objection.  
4       Go ahead.  
5       THE WITNESS: Yes.  
6       **Q (By Ms. Quijano) Were there any other things**  
7 **that like your supervisor, the warden, sergeants,**  
8 **lieutenants did that you thought were wrong or poorly**  
9 **done?**  
10       MR. BOJANOWSKI: Objection.  
11       Go ahead.  
12       THE WITNESS: No.  
13       **Q (By Ms. Quijano) Just the staffing? The**  
14 **scheduling?**  
15       A. Yes.  
16       MS. QUIJANO: Objection.  
17       Go ahead.  
18       THE WITNESS: Yes.  
19       **Q (By Ms. Quijano) Did you feel like policies and**  
20 **procedures were enforced or monitored by the -- the jail**  
21 **staff?**  
22       MR. BOJANOWSKI: Objection.  
23       Go ahead.  
24       You're asking him to testify as to what  
25 other people are doing?

Page 107

1       MS. QUIJANO: If he felt they were --  
2       MR. BOJANOWSKI: Well, what he feels isn't  
3 really relevant, but --  
4       MS. QUIJANO: That's fine. You can  
5 object. But I'm going to --  
6       MR. BOJANOWSKI: All right. Yeah, I  
7 just -- I -- I am. It's just I want to be clear as to  
8 the question you're asking. Are you asking him what  
9 other staff has felt --  
10       MS. QUIJANO: No.  
11       MR. BOJANOWSKI: -- about working there?  
12 Maybe just rephrase the question so I can better  
13 understand.  
14       MS. QUIJANO: Okay. I'll restate my  
15 question.  
16       **Q (By Ms. Quijano) Did you feel that policies and**  
17 **procedures were properly enforced by jail staff?**  
18       MR. BOJANOWSKI: Same objection.  
19       THE WITNESS: Yes.  
20       **Q (By Ms. Quijano) Okay. Were the warden an**  
21 **admin -- or assistant warden on-site frequently?**  
22       A. Yes. She was frequently there.  
23       **Q. What about the warden?**  
24       A. Sometimes would be there, but not all the time.  
25       **Q. Was he frequently not there?**

Page 108

1       MR. BOJANOWSKI: Objection.  
2       Go ahead.  
3       THE WITNESS: He would come like two times  
4 out of a month to, you know, 400.  
5       **Q (By Ms. Quijano) So, you didn't -- did you see**  
6 **him often?**  
7       A. No.  
8       **Q. Do you -- did you feel that he had any**  
9 **understanding of what was happening in that facility**  
10 **when you worked there?**  
11       MR. BOJANOWSKI: Objection.  
12       Go ahead.  
13       THE WITNESS: I do not know.  
14       **Q (By Ms. Quijano) Do you think there was any way**  
15 **for him to have known with how infrequently you saw him?**  
16       MR. BOJANOWSKI: Objection.  
17       Go ahead.  
18       THE WITNESS: I don't know.  
19       MS. QUIJANO: Okay. Those are all of my  
20 questions. I appreciate you taking your morning. I  
21 know this is a frustrating process to make sure this is  
22 clear, but I appreciate your patience with it.  
23       And I pass the witness.  
24       MR. BOJANOWSKI: Okay. We'll read and  
25 sign. Thank you.

Page 109

1       (Deposition concluded at 11:46 a.m.)  
2       \*\*\*\*\*  
3  
4       DEPONENT SIGNATURE/CORRECTION PAGE  
5       If there is any typographical errors to your  
6 deposition, indicate them below:  
7       PAGE               LINE  
8       \_\_\_\_\_ Change to \_\_\_\_\_  
9       \_\_\_\_\_ Change to \_\_\_\_\_  
10       \_\_\_\_\_ Change to \_\_\_\_\_  
11       \_\_\_\_\_ Change to \_\_\_\_\_  
12       Any other changes to your deposition are to be  
13 listed below with a statement as to the reason for such  
14 change.  
15       PAGE LINE   CORRECTION   REASON FOR CHANGE  
16       \_\_\_\_\_  
17       \_\_\_\_\_  
18       \_\_\_\_\_  
19       \_\_\_\_\_  
20       \_\_\_\_\_  
21       I, GARRICK PETERSON, do hereby certify that I have  
22 read the foregoing transcript of my deposition taken  
23 MARCH 15, 2022, as transcribed, and that it is a true  
24 and correct record of my testimony given at the time,  
25 except as to any corrections submitted.  
\_\_\_\_\_